

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

THIS DOCUMENT APPLIES TO:

*The County of Trumbull v. CVS
Health Corporation, et al.,*
Case No. 18-op-45079

*The County of Lake v. CVS Health
Corporation, et al.,*
Case No. 18-op-45032

MDL No. 2804

Case No. 1:17-MD-2804

Hon. Dan A. Polster

**MOTION ON CONSENT FOR EXTENSION OF TIME TO RESPOND TO
DEFENDANT CVS HEALTH CORPORATION'S MOTION TO DISMISS
FOR LACK OF PERSONAL JURISDICTION**

Plaintiffs respectfully move this Court for an extension of time in which to respond to Defendant CVS Health Corporation's Motion to Dismiss for Lack of Personal Jurisdiction.

CVS Health Corporation filed its motion (Dkt. # 3338) on June 16, 2020. Pursuant to Track Three Case Management Order *Nunc Pro Tunc* (Dkt. # 3329), Plaintiffs' response to CVS Health Corporation's motion is due within sixteen days of Defendant's filing, thus on or before Thursday, July 2, 2020.

According to Federal Rule of Civil Procedure 6(b)(A), on motion filed prior to the original time when an act may be performed, the court may, for good cause, extend the time within which an act may be done. Plaintiffs contend good cause exists here. The Parties are meeting and conferring regarding CVS Health Corporation's involvement in

this litigation and additional time is required for the Parties to explore an agreement on same. CVS Health Corporation consents to Plaintiffs' requested extension of time to respond to its motion to dismiss. Rather than have the court expend judicial resources evaluating the motion to dismiss, Plaintiffs request that they be permitted to respond to Defendant's motion after the Parties can meaningfully explore CVS Health Corporation's involvement in this litigation, including whether Plaintiffs will agree to dismiss CVS Health Corporation without prejudice. Plaintiffs believe a modest extension of thirty days from the day on which the Parties conclude an agreement cannot be reached is sufficient for the Parties to exhaust their efforts to meet and confer.

WHEREFORE, Plaintiffs respectfully request that the Court extend Plaintiffs' deadline to respond to Defendant CVS Health Corporation's Motion to Dismiss for Lack of Personal Jurisdiction an additional thirty days from the day on which the Parties conclude an agreement on dismissal cannot be reached.

Dated: June 24, 2020

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of June, 2020, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF System. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF System.

/s/ Peter H. Weinberger

Peter H. Weinberger

Plaintiffs' Liaison Counsel